

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
LAFAYETTE DIVISION

QUAYLAIN BROWN

CASE NO. 6:24-CV-01494

VERSUS

JUDGE S. MAURICE HICKS, JR.

CITY OF ABBEVILLE ET AL

MAGISTRATE JUDGE DAVID J. AYO

ORDER

Now before this Court is DEFENDANT SHAWNA MIGUEZ’S OPPOSED FRCP 36(B) MOTION TO WITHDRAW HER ADMISSION TO PLAINTIFF’S REQUEST FOR ADMISSION NO. 1. (Rec. Doc. 38). Plaintiff Quaylain Brown opposes the motion. (*Id.* at ¶ 8). Miguez’s motion asserts that Plaintiff propounded upon her thirteen requests for admission on or about January 8, 2025, including the following:

Request for Admission No. 1:

On or about November 1, 2023, you tackled Plaintiff Quaylain Brown in a hallway.

(*Id.* at ¶ 3). Miguez responded on or about February 6, 2025, admitting this fact. (*Id.* at ¶ 3). Miguez now seeks to withdraw this admission, which she alleges was clearly an error as demonstrated by her denial of all other associated requests for admission. (*Id.* at ¶ 3).

Review of Miguez’s motion affirms that this admission was almost certainly an error and not Miguez’s intended response. Pursuant to Rule 36(b), this Court finds that Miguez should be permitted to withdraw the admission at issue and amend her response, as such relief will “promote the presentation of the merits” in this case. Considering the pending dispositive motions in this case and the resulting lack of a scheduling order, this Court similarly finds that no prejudice to Plaintiff in the prosecution of his claims will result from the relief requested. For these reasons, it is hereby

ORDERED that DEFENDANT SHAWNA MIGUEZ'S OPPOSED FRCP 36(B) MOTION TO WITHDRAW HER ADMISSION TO PLAINTIFF'S REQUEST FOR ADMISSION NO. 1 (Rec. Doc. 38) is GRANTED, such that Miguez's admission to Plaintiff's Request for Admission No. 1 is WITHDRAWN. It is further

ORDERED that Miguez will respond to Plaintiff's Request for Admission No. 1 on or before FRIDAY, AUGUST 9, 2025.

SO ORDERED this 4th day of August, 2025 at Lafayette, Louisiana.



DAVID J. AYO
UNITED STATES MAGISTRATE JUDGE